

June 17, 2022

Ryan Hancharick
Source Water & UIC Section
U.S. EPA Region 3
Email: R3_UIC_Mailbox@epa.gov

Re: EPA Request for Postponement and In-person Hearing

Dear Mr. Hancharick

We are writing in response to the issuance of a draft permit PAS2D702BALL to Penneco Environmental Solutions, LLC, of Delmont, PA. Specifically, we have objections regarding the tentative public hearing currently scheduled virtually for June 28, 2022.

Our first objection is based on the virtual format of the hearing. Allegheny County is a diverse community whose members are always ready to voice their opinions and stimulate healthy conversation; this, however, has traditionally been conducted via in-person hearings. The community impacted by Penneco's objectives is primarily rural, and therefore its constituents cannot be expected to have reliable, widespread access to online platforms such as MS teams. While a dial-in option has been presented, participants who have dialed in are easily overlooked and uncomfortable participating due to only being able to do so at a bare minimum level. As a result, a virtual hearing would discourage conversation from some members of the community and alienate others from attending altogether. Because the purpose of these hearings is to get comments from the entire community affected, a virtual hearing will not meet this purpose in Allegheny County.

Furthermore, The Environmental Protection Agency's "best practices for conducting virtual public hearings and meetings include documenting the reasons for conducting the public hearing or meeting virtually." Memorandum: Virtual Public Hearings and Meetings, page 2 (April 16, 2020). In the EPA's notice of hearing regarding the Penneco draft permit, there are no documented reasons for conducting the hearing online. The lack of such documentation combined with the community's tendency to be excluded from hearings when virtual, as previously discussed, is sufficient to warrant an in-person hearing at a later date.

Our second objection relates to the short amount of time that the public has had to review and comment on highly technical information. While the EPA published this notice on their website on May 26th, 2022, the public did not know about this hearing until June 14th. Even if given a full 30 days to review, there is a huge disparity between the preparation time and resources

that the oil and gas industry has versus what we (local officials who are charged with protecting ourselves and the public) have to review application documents, research scientific facts and prepare comments.

We request the EPA postpone the hearing and hold it in person for the reasons outlined above, to allow appropriate participation from the public that will be impacted by the issuance of this permit.

Sincere Regards,

Gillian Graber
Executive Director, Protect PT

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Kensington, Allegheny

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Pittsburgh, Allegheny

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Trafford

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Monroeville, Allegheny

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Export

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Nicole Ruscitto Council member
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Jefferson Hills. Allegheny

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Pittsburgh, Allegheny County

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North Braddock

Residents For Our Future

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North

Braddock, Allegheny

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Pittsburgh, Allegheny

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Blakely

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Protect PT

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Murrysville

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Monroeville

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SCENERY HILL

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Monroeville, Allegheny

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Barbara W Brandom, MD
Steering Committee Member
Concerned Health Professionals

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Pittsburgh, Allegheny

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Pittsburgh, Allegheny County